

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

PEWEE. C. MARTINEZ,
Plaintiff,

Civil Action No. 7:21-cv-00092

v.

MEMORANDUM OPINION

HAROLD W. CLARKE, et al,
Defendant(s),

By: Michael F. Urbanski
Chief United States District Judge

Plaintiff, proceeding pro se, filed a civil rights complaint, pursuant to 42 U.S.C. §1983. By order entered February 12, 2021, the court directed plaintiff to submit within 20 days from the date of the order an inmate account form, and a certified copy of plaintiff's trust fund account statement for the six-month period immediately preceding the filing of the complaint, obtained from the appropriate prison official of each prison at which plaintiff is or was confined during that six-month period. On March 15, 2021, the court dismissed the action without prejudice because plaintiff failed to comply with the conditions set forth in the order. On March 29, 2021, plaintiff filed a motion for reconsideration and on March 30, 2021, the court reopened the case giving plaintiff 30 days to comply with the conditions originally set forth in the first order. Plaintiff was advised that a failure to comply would result in dismissal of this action without prejudice.

More than 30 days have elapsed, and plaintiff has failed to comply with the described conditions. Accordingly, the court dismisses the action without prejudice and strikes the case from the active docket of the court. Plaintiff may refile the claims in a separate action once plaintiff is prepared to comply with the noted conditions.

The Clerk is directed to send a copy of this Memorandum Opinion and accompanying Order to plaintiff.

ENTER: This 11th day of May, 2021.

A handwritten signature in blue ink, appearing to read 'M. Urbanski', is positioned above the printed name and title.

Michael F. Urbanski
Chief U.S. District Judge
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Chief United States District Judge